

Text Amendment Application No. 30
Advisor to the Zoning Commission
Sign Regulations

TO THE ZONING COMMISSION
OF THE CITY OF BOSTON

Acting under Chapter 665, as amended, the Advisor to the Zoning Commission of the City of Boston proposes to amend the Boston Zoning Code as follows:

1. By striking out in Section 2-1, clause (40) and inserting in place thereof the following clause:

(40) "Sign", shall mean and include any structure, device, light, letter, word, model, banner, pennant, insignia, trade flag, or representation which is designed to be seen from outside a building and which advertises or announces a use conducted or goods available.
2. By striking out in clause (41) of Section 2-1, paragraph (c) and inserting in place thereof the following paragraph:

(c) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, canopy, awning, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters or symbols.
3. By inserting after paragraph (c) in clause (41) of Section 2-1, the following paragraphs:

(d) In the case of a sign which is a three dimensional representation of an object, the area shall be the area of the largest vertical cross-section of the figure.

(e) Only one side of double-faced sign shall be counted in computing the area of a sign.
4. By inserting in Section 2-1 following clause (41) the following clauses:

(41A) "Sign, on-premise", shall mean a sign which advertises or announces a use conducted or goods available on the lot on which the sign is located.

(41B) "Sign, off-premise", shall mean a sign which advertises or announces a use conducted or goods available elsewhere than on the lot on which the sign is located.

5. By striking out Article 11 and inserting in place thereof the following article:

ARTICLE 11

SIGNS

SECTION 11-1. Signs in Residential Districts.

In any residential district there shall not be any sign except as follows:

(a) One sign, not exceeding two square feet in total area, attached to the building or on a rod or post not more than four feet high and at least three feet in from the street line, and stating only the street number or name of the occupant or occupants of the lot, or both, except that in an H district such sign may also identify the business of a professional person, as defined by Use Item 39 of Section 8-7.

(b) One bulletin or announcement board, name-sign or entrance marker for each church or institution not exceeding twenty square feet in area, except that if the street frontage of such church or institution exceeds one hundred feet, one such sign for each hundred feet computed to the nearest hundred but in no event more than three such signs for each church or institution.

(c) One "For Sale" or "For Rent" sign, not exceeding eight square feet in area, advertising the property on which such sign is located.

(d) One building contractor's or developer's sign, not exceeding thirty-two square feet in total area, on a lot where a building is actually under construction.

(e) One sign not exceeding twenty square feet per entrance to a tract of land divided into building lots.

SECTION 11-2. On-premise Signs in All Other Districts.

In all other districts, there shall not be any on-premise sign except as follows:

(a) Signs allowed in residential districts.

(b) A sign attached parallel to a building which projects no more than twelve inches from the building surface, provided that the top of such sign is no higher than whichever of the following is lowest:
(i) twenty feet above grade; (ii) the top of the sills of the first level of windows above the first story; or
(iii) the height of the building at the building line.

(c) A sign painted on the inside of the glass of a window, provided that the total area of the sign does not exceed 10% of the total area of the window glass and does not exceed other regulations of this article.

(d) A sign attached at right angles to a building, provided that: (i) there is no more than one such sign for each entrance door to the building; (ii) it projects no more than five feet from the building; (iii) it has no more than two faces with a total area on each face of no more than twelve square feet, or in the case of a three dimensional representation of an object, is no more than twelve square feet in its largest vertical cross-section; (iv) its bottom is at least ten feet from grade and its top is no higher than whichever of the following is lowest: twenty feet above grade; the top of the sills of the first level of windows above the first story; or the height of the building at the building line.

(e) A free standing sign, except in B-2, B-4, B-8 or B-10 districts, provided that the top of such sign is no higher than twenty-five feet from grade, it contains no more than two faces of fifty square feet each, or, in the case of a three dimensional representation of an object, is no more than fifty square feet in its largest vertical cross-section. Free standing signs shall be limited to one such sign for every hundred lineal feet of street frontage, but in no event more than two such signs for each building lot.

(f) Temporary signs pertaining to special sales or events lasting no more than six (6) days may be affixed to windows provided their total area does not exceed 20% of the total area of the window.

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(g) Signs attached to or painted on canopies, marquees or awnings.

If a three dimensional representation of an object bears no lettering, an additional three square feet in excess of the maximum area allowed in subsections (d) and (e) above may be devoted to a lettered sign placed on the support of, or hanging from, said representation.

A sign may bear lettering to indicate the street number, the name and kind of business conducted in the building or on the lot, the year the business was established, and the time and temperature. Lettering shall not read vertically.

Signs may contain no more than three colors (black and white are colors), shall not use exposed neon tubing and shall be lighted only by continuous light, except that signs lighted to indicate time and temperature may have intermittent illumination. Signs and parts thereof shall remain stationary.

The brand name, trade mark or other advertising device of a specific commodity may occupy no more than twenty-five percent (25%) of the area of a sign, except that if the sale of said commodity is the major business conducted on the premises, there shall be no such restriction.

No support for a sign shall extend above the cornice line of a building to which it is attached. Lateral supports shall be rigid.

The total area (1) in square feet of all permanent signs on a building lot including signs on canopies and marquees, but excluding free standing signs shall not exceed:

Average Distance in Feet of Signs From Centerline of Abutting Right-of-Way	Length of Building Frontage In Feet Multiplied By
0 - 39	1.5
40 - 99	2.0
100 - 199	2.2
200 - 299	2.4
300 - 399	2.6
400 - 499	2.8
500 - 599	3.0
600 and over	3.2

(1) See Section 2-1 (41).

If a building fronts on two or more streets, the sign area for each such street shall be computed separately.

SECTION 11-3. Signs In Licensed Parking Lots.

In all zoning districts there shall not be any sign in a parking lot, Use Item 58 of Section 8-7, except (1) a sign at a parking lot entrance which shall contain only two colors, white on a blue background and bear thereon in fifty percent or more of its total sign area the letter "P" in helvetica medium type, and (2) a sign not exceeding nine square feet bearing only that information required by the Traffic and Parking Department in its Rules Regulating Open-Air Parking Spaces.

The area of the "P" sign shall not exceed twelve square feet on each face; it may have only two faces and shall not exceed a height of 20 feet above grade.

SECTION 11-4. Signs on Parking Garages.

In all zoning districts, there shall not be any sign on a parking garage except (1) one sign per entrance which shall contain two colors, white on a blue background, and bear thereon in fifty percent or more of its total size the letter "P" in helvetica medium type, and (2) one sign per entrance not exceeding nine square feet bearing information on parking rates. Parking garage signs shall also conform with the provisions of Section 11-2.

SECTION 11-5. Alteration, Repair and Replacement.

Except for copy changes on signs with changeable letter panels, no sign shall be reconstructed, extended, changed structurally or in content or replaced except in accordance with this article. A sign which does not conform with this article may be repaired provided that the cost of repair does not exceed thirty-five percent of the replacement cost of the entire sign. A nonconforming sign which is deemed unsafe by the building official, and which requires repairs in excess of thirty-five percent of its replacement cost shall be removed by its owner.

SECTION 11-6. Signs Subject to Other Regulations.

Billboards, signboards, signs and other advertising devices subject to Sections 29 to 33 inclusive of Chapter 93 of the General Laws as now in force or hereafter amended are allowed in B, M, and I districts, provided all such advertising devices shall be conditional if located on a lot any part of which abuts or is directly across the street from any part of a lot in an S, R, or H district.

SECTION 11-7. Signs In Urban Renewal Project Areas

In an urban renewal project area, there shall not be any sign which does not comply with this article and with the urban renewal plan for such project area.

SECTION 11-8. Conditional Sign Permits

The Board of Appeal may grant conditional use permits in accordance with the procedure set out in Article 6 allowing signs other than those permitted by this regulation where the particular use or location justifies such exceptional treatment.

Petitioner	<u>Mace Werniger</u>
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MEMORANDUM

August 3, 1972

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TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: AUTHORIZATION TO SUBMIT REVISED ZONING CODE SIGN
REGULATIONS TO THE ZONING COMMISSION

The Boston Zoning Code covers signs in residential districts fairly completely. It also covers signs subject to the control of the Massachusetts Outdoor Advertising Board (billboards) to the extent allowing them in local business districts with certain restrictions, and in general business, restricted manufacturing, general industrial and waterfront industrial districts with no restrictions. On the subject of on-premise business signs the Code is silent.

The BRA zoning and urban design staffs and the City Law Department have prepared the attached revision of the Zoning Code's sign control regulations over the past eight months. This has been done in consultation with representatives of the Massachusetts Sign Association, an organization of manufacturers and installers of signs, a number of whose recommendations have been incorporated in the proposed regulation.

The major thrust of the proposed revision is control of on-premise business signs, to regulate the size, location and lighting of various types of signs and the overall amount of signage on individual premises. Billboards subject to the regulations of the Massachusetts Outdoor Advertising Board are made forbidden in S, R, & H (residential) districts, local business and waterfront industrial districts, and conditional in general business, manufacturing and industrial districts if the premises in question abut a residential district. There are also special regulations for parking lots and parking garages requiring the use of a white "P" on a blue background.

Because of the wording of the zoning enabling legislation, the Law Department has ruled that there can be no provision for the phasing out of nonconforming signs. The proposed amendment does forbid the alteration or replacement of nonconforming signs and limits the repair of damaged or deteriorated signs. The impact of the controls on present signs will take a number of years to be fully realized.

We would like to present the proposed regulations to the Zoning Commission for a hearing in the first part of September. I, therefore, request that the Authority authorize the Advisor to the Zoning Commission to submit the attached Text Amendment Application No. 30 for the Zoning Commission's consideration.